

[Counsel set forth on signature page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

IN RE FLASH MEMORY ANTITRUST
LITIGATION

No. C07-00086 SBA

**STIPULATION AND ORDER FOR
DISMISSAL WITH PREJUDICE AS TO
DEFENDANT SANDISK
CORPORATION PURSUANT TO FED.
R. CIV. PROC. 41(a)(2)**

This document Relates to:

ALL INDIRECT PURCHASER ACTIONS

Pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, Plaintiffs Keith Alderman, Christopher Bessette, Peter Burke, James Burt, California Coast Investigative Services, Anthony Cardinale, Michael Chek, Alva Dee Cravens, Peter DeChristopher, Donna Fahner, Eric Ferguson, Donna Jeanne Flanagan, Ina Fryer, Stuart Go, Sandra Green, Dan Harrison, Thomas Y. Huh, James Knowles, Fred W. Krahmer, Harold Moore, Martha Mulvey, Joanne Myles, Thomas Nigro, Carman Pellitteri, Travis Richardson, Richard Chris Rippel, Ryan Skorstad, Lynn Sweatman, and Joseph Theisen, (collectively “Indirect-Purchaser Plaintiffs”) and defendant SanDisk Corporation (“SanDisk”) (collectively “The Stipulating Parties”) by and through their counsel hereby stipulate as follows:

1. On May 1, 2009, the Indirect-Purchaser Plaintiffs filed a First Amended Consolidated Class Action Complaint against SanDisk in the above-entitled action.¹

2. The Stipulating Parties have reached a confidential settlement of all claims asserted by Plaintiffs against SanDisk in the above-entitled action.

3. In furtherance of the confidential settlement, the Stipulating Parties agree that all claims asserted by Plaintiffs against SanDisk in the above-entitled action shall be dismissed with prejudice, with Plaintiffs and SanDisk each bearing their own costs and attorneys’ fees, and SanDisk shall no longer be a party in this action.²

¹ Plaintiffs Keith Alderman, James Knowles, Fred W. Krahmer, Carman Pellitteri, Ryan Skorstad, and Lynn Sweatman, had previously filed complaints against SanDisk Corporation but were not included as named plaintiffs in the First Consolidated Class Action Complaint.

² The confidential settlement also includes the following plaintiffs, who dismissed their claims with prejudice as to all defendants on April 25, 2012 (Dkt. 764): Jacob Greenwell, Sarah Hecht, Jean McClellan-Chambers, Jamac Enterprises, Robin McEntee, Trong Nguyen, Jason Perkins, Travis Weibe, Joshua Steele, Benjamin Northway, Lindsey Morgan, Kelly Fahner, George Davis, Andrew Kindt, Tristen Woods, and Jai Paguirigan.

1 IT IS SO STIPULATED.

2 DATED: May 2, 2012.

COTCHETT, PITRE & MCCARTHY

3
4 By: /s/ Steve N. Williams
Steve N. Williams

5 *Co-Lead Counsel for Indirect Purchaser*
6 *Plaintiffs*

7 DATED: May 2, 2012.

ZELLE HOFMANN VOELBEL & MASON
LLP

9 By: /s/ Christopher T. Micheletti
10 Christopher T. Micheletti

11 *Co-Lead Counsel for Indirect Purchaser*
12 *Plaintiffs*

13 DATED May 2, 2012.

BINGHAM MCCUTCHEN LLP

14 By: /s/ Frank M. Hinman
15 Frank M. Hinman

16 *Counsel for SanDisk Corporation*
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ORDER

For the reasons set forth in the above stipulation, and good cause appearing therefor, it is hereby ORDERED as follows:

1. All claims asserted by Plaintiffs against SanDisk Corporation in the above-entitled action or any of its associated actions are hereby DISMISSED WITH PREJUDICE, with Plaintiffs and SanDisk Corporation each bearing their own costs and attorneys' fees.

2. SanDisk Corporation shall no longer be a party in this action.

IT IS SO ORDERED.

DATED: _5/10/12



Saundra Brown Armstrong
United States District Judge

FILER'S ATTESTATION

I, Rianne E. Rocca, am the ECF user whose identification and password are being used to file this Stipulation. In compliance with General Order 45.X.B, I hereby attest that concurrence in the filing of this document has been obtained from the signatories above.

/s/ Rianne E. Rocca

Rianne E. Rocca

Attorney for Defendant SanDisk Corporation